

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEBRASKA**

IN THE MATTER OF)	Case No. BK 18-81127-TLS
)	
EAT FIT GOT HEALTHY FOODS, LLC et al ¹)	Chapter 11
)	
Debtors.)	

ORDER GRANTING OMNIBUS MOTION TO REJECT EXECUTORY CONTRACTS

This matter comes before the Court on the *Omnibus Motion to Reject Executory Contracts* (Filing No. 11) (the "Motion"). This Court does hereby find as follows:

A. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §§157 and 1334, and this is a core proceeding pursuant to 28 U.S.C. §157(b)(2).

B. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

C. Each Debtor remains in possession of its assets and continues to operate as debtor-in-possession in accordance with 11 U.S.C. §§ 1107 and 1108.

D. No Trustee or Official Committee of Unsecured Creditors has been appointed in this case.

E. Due and proper notice of the Motion was given and no other notice thereof is required.

F. No timely objections to the Motion have been filed in this Court.

G. Rejection of the Contracts²: (a) is in the best interests of Debtors, their creditors, and the bankruptcy estates; (b) constitutes a reasonable and sound exercise of Debtors' business

¹ The Debtors in this case include: Eat Fit Go Omaha Kitchen, LLC, Eat Fit Go Kansas City Kitchen, LLC, Eat Fit Go Georgia Kitchen, LLC, Eat Fit Go Arizona Kitchen, LLC, Eat Fit Go Healthy Foods - Des Moines, LLC, Eat Fit Go Healthy Foods - Kansas City, LLC, EFG Shared Services, LLC (No Rev), Eat Fit Go Healthy Foods - Omaha, LLC, and Eat Fit Go Healthy Foods - Minnesota, LLC.

² See Exhibit A attached hereto.

judgment; and (c) should be approved.

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Motion is GRANTED and the relief requested in the Motion is approved in all respects.

2. Under the foregoing circumstances, the proposed rejection of Contracts is both justified and appropriate and Debtors are hereby authorized to reject the Contracts.

3. For purposes of 11 U.S.C. §365, the rejection of the Contracts shall be effective as August 10, 2018.

4. This Court retains jurisdiction to interpret, implement and enforce the terms and provisions of this Order, all amendments thereto and any waivers and consents thereunder and of each of the agreements executed in connection therewith.

5. The failure specifically to include any particular provisions of the Motion or the Contracts in this Order shall not diminish or impair the efficacy of such provision, it being the intent of the Court that the Motion be authorized and approved in its entirety.

IT IS SO ORDERED.

Dated this 22nd day of August, 2018.

BY THE COURT:

/s/Thomas L. Saladino
United States Bankruptcy Judge

Submitted by:

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Counsel For The Debtors

EXHIBIT A – CONTRACTS

Documents Name	Debtor	Counter Party	Date
Area Development Agreement	Eat Fit Go Healthy Foods, LLC	Chadron EFGAZ L.L.C - Tucson	28-Aug-17
Franchise Agreement	Eat Fit Go Healthy Foods, LLC	E FIT G KRNLY, L.L.C. - Kearney, NE	7-Jul-16
Franchise Agreement	Eat Fit Go Healthy Foods, LLC	EFGP LLC - St. Joe, MO	25-Jul-16
Franchise Agreement	Eat Fit Go Healthy Foods, LLC	EFGGroupATL, LLC - 2980 Cobb Pkwy	5-Dec-17
Franchise Agreement	Eat Fit Go Healthy Foods, LLC	EFGGroupATL, LLC - 5530 Windward Pkwy	5-Dec-17
Franchise Agreement	Eat Fit Go Healthy Foods, LLC	EFGGroupATL, LLC - 5840 Roswell Rd	5-Dec-17
Area Development Agreement	Eat Fit Go Healthy Foods, LLC	EFGGroupATL, LLC - Various GA counties	1-Sep-16
Area Development Agreement	Eat Fit Go Healthy Foods, LLC	Hamilton Heights - Colorado Springs	5-Sep-17
Area Development Agreement	Eat Fit Go Healthy Foods, LLC	Husker Power - Columbia, O'Fallon,	N/A
Area Development Agreement	Eat Fit Go Healthy Foods, LLC	OmaStings, LLC - Maricopa and Pinal AZ	1-Jun-16
Area Development Agreement	Eat Fit Go Healthy Foods, LLC	RK FITFOODS, INC. - Denver	29-Aug-17
Area Development Agreement	Eat Fit Go Healthy Foods, LLC	TELLthefuture, LLC - Springfield, Manhattan KS	6-Sep-16